

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LONG TERM CARE CORP., LLC,

Plaintiff,

v.

AGUSTIN RAMOS,

Defendant

AGUSTIN RAMOS,

Counter Claimant,

v.

LONG TERM CARE CORP., LLC,

Counter Defendant

AGUSTIN RAMOS,

Third Party Plaintiff,

v.

ONIX GROUP, STEPHEN S. SILVER,

RONALD E. SCHAFER,

Third Party Defendants.

CIVIL ACTION

NO. 18-0281

ORDER

AND NOW, this 8th day of November, 2018, upon consideration of Long Term Care Corp., LLC's Motion to Dismiss, (ECF No. 26), Onix Group, Stephen Silver and Ronald Schafer's Motion to Dismiss, (ECF No. 27), Ramos' Response, (ECF No. 28), LTC's Reply, (ECF No. 29), and Onix Group, Silver and Schafer's Reply, (ECF No. 30), it is hereby **ORDERED** that the Motions (ECF Nos. 26 & 27) are **GRANTED** as follows:

1. Count II (breach of duty of good faith and fair dealing) is **DISMISSED with prejudice**;

2. Count III (breach of contract of implied partnership) is **DISMISSED with prejudice** and
3. Count VI (promissory estoppel) is **DISMISSED with prejudice**.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.